

**United States District Court**  
WESTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA

V.

Judith Kay Cormier

**ORDER OF DETENTION  
PENDING TRIAL**

Case Number: 1:07-cr-00084

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

**Part I – Findings of Fact**

- ☐ (1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has been convicted of a ☐ federal offense ☐ state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed – that is
- ☐ a crime of violence as defined in 18 U.S.C. § 3156(a)(4).
- ☐ an offense for which the maximum sentence is life imprisonment or death.
- ☐ an offense for which a maximum term of imprisonment of ten years or more is prescribed in \_\_\_\_\_
- ☐ A felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. § 3142(f)(1)(A)-(C), or comparable state or local offenses.
- ☐ (2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense.
- ☐ (3) A period of not more than five years has elapsed since the ☐ date of conviction ☐ release of the defendant from imprisonment for the offense described in finding (1).
- ☐ (4) Findings Nos. (1),(2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an) other person(s) and the community. I further find that the defendant has not rebutted this presumption.

**Alternate Findings (A)**

- ☐ (1) There is probable cause to believe that the defendant has committed an offense
- ☐ for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act
- ☐ under 18 U.S.C. § 924(c).
- ☐ (2) The defendant has not rebutted the presumption established by finding (1) that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

**Alternate Findings (B)**

- ☒ (1) There is a serious risk that the defendant will not appear.
- ☐ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

**Part II – Written Statement of Reasons for Detention**

I find that the credible testimony and information submitted at the hearing establish by a preponderance of the evidence that:

There was an attempt to hold a detention hearing on October 4, 2007. Pursuant to 18 U.S.C. § 3142, the government moved for defendant's detention because of the nature of the charge. Counts 2 and 9 both charge that defendant failed to obey court orders, and that she knowingly resisted lawful orders and process of the United States District Court for the Western District of Michigan in that having been served with a grand jury subpoena she failed to comply and failed to obey the district court's order to do so. Generally, during proceedings in this case the court has observed defendant's complete disregard for this court's authority. However, defendant was advised on the record in open court that should she swear or affirm under oath that she would abide by the court's order to appear she would be released on bond. Defendant declined to do so. Therefore the undersigned finds that defendant presents a risk of flight because there is no assurance that she would appear as ordered. Defendant is ordered detained pending further proceedings in this matter.

**Part III – Directions Regarding Detention**

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

October 10, 2007

Date

/s/ Ellen S. Carmody

Signature of Judge

Ellen S. Carmody, United States Magistrate Judge

Name and Title of Judge